

106TH CONGRESS  
2D SESSION

# H. R. 4373

To amend the Fair Credit Reporting Act to limit disclosure of consumer reports on an employee which are obtained in connection with allegations of illegal conduct.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2000

Ms. SCHAKOWSKY introduced the following bill; which was referred to the  
Committee on Banking and Financial Services

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## A BILL

To amend the Fair Credit Reporting Act to limit disclosure of consumer reports on an employee which are obtained in connection with allegations of illegal conduct.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. FAIR CREDIT REPORTING ACT.**

4       (a) SECTION 604.—Section 604(b) of the Fair Credit  
5       Reporting Act (15 U.S.C. 1681b(b)) is amended by adding  
6       at the end the following:

7               “(5) APPLICATION.—Paragraphs (2)(A) and  
8       (3)(A) do not apply with respect to a consumer re-  
9       port for an employee which is obtained for the pur-

1 poses of investigating allegations of a violation of the  
2 Americans with Disabilities Act of 1990, the Age  
3 Discrimination Act of 1975, the Older Americans  
4 Act of 1965, the Age Discrimination in Employment  
5 Act of 1967, title VII of the Civil Rights Act of  
6 1964 or analogous State and local laws.”.

7 (b) SECTION 606.—Section 606 of the Fair Credit  
8 Reporting Act (15 U.S.C. 1681d) is amended by adding  
9 at the end the following:

10 “(e) Subsections (a), (b), (c), and (d)(1) do not apply  
11 with respect to a consumer report for an employee which  
12 is obtained for the purposes of investigating allegations  
13 of a violation of the Americans with Disabilities Act of  
14 1990, the Age Discrimination Act of 1975, the Older  
15 Americans Act of 1965, the Age Discrimination in Em-  
16 ployment Act of 1967, title VII of the Civil Rights Act  
17 of 1964 or analogous State and local laws.”.

18 (c) SECTION 609.—Section 609(a)(1) of the Fair  
19 Credit Reporting Act (15 U.S.C. 1681g) is amended by  
20 adding before the period at the end the following: “or, in  
21 the case of a consumer report for an employee which is  
22 obtained for the purposes of investigating allegations of  
23 a violation of the Americans with Disabilities Act of 1990,  
24 the Age Discrimination Act of 1975, the Older Americans  
25 Act of 1965, the Age Discrimination in Employment Act

1 of 1967, title VII of the Civil Rights Act of 1964 or analo-  
2 gous State and local laws by that employee, to require  
3 prior to any adverse action or in any case, not later than  
4 30 days after the commencement of an investigation or  
5 after such date upon request, disclosure of more than a  
6 summary containing the nature and substance of the in-  
7 formation (i.e. information which is meaningful and gen-  
8 uine that serves as a basis of the decision to investigate  
9 but is not so specific as to identify witnesses or otherwise  
10 inhibit the investigation) in the consumer's file at the time  
11 of the request for the consumer report''.

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